THE TRAVANCORE RUBBER CONTROL BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to present the Report of the Select Committee on the Travancore Rubber Control Bill and move that the Bill as reported be taken into consideration.

MR. C. V. CHANDRASEKHARAN (*Ag: Director of Public Instruction.*): I second it.

(At this stage the President took the Chair)

PRESIDENT: Moved and seconded that the Bill be taken up for consideration.

MR. S. J. NAIR (*Nedumangad*): I oppose the motion. I move that the Bill be dropped. This Bill is intended to control and regulate the extension of the cultivation of rubber in Travancore by a legislative enactment. If it is done in that manner it will cause a great deal of hardship to the ordinary poor agriculturists. In this connection I would like to quote a sentence from the booklet of His Excellency Marquis Linlithgow, the present Viceroy of India. It is contained in his recent booklet "The Indian Peasantry."

It runs as follows:

> "India's" wealth in an overwhelming degree is her agriculture.....The peasant now as ever is the chief source and creator of both her wealth and her greatness."

If this is true of India it is equally true, perhaps more true, of Travancore. Travancore is purely an agricultural country. The major portion of the people of Travancore have only one profession to pursue, namely the agriculture. They pay tax for the enjoyment of their lands. The only independent profession they can pursue is agriculture. Every man though he is a trader or banker or an agriculturist he has to follow the profession of agriculture. In Travancore their is no special class as the money lending class or the banking class. Every citizen is an agriculturist. To deny an agriculturist the right to cultivate his land as he pleases, is denying his right of citizenship. He has been paying the tax for the enjoyment of land in the belief that his right to cultivate the land would never be curtailed. He has every right to enjoy the land as he pleases. To deny the right of cultivating rubber in such lands is very hard. I can even say that denial is equal to a high-handedness. This piece of legislation is illegal because it affects the right of a citizen. The right of the citizen to cultivate his land should not be curtailed by any sort of enactment. It is his birthright so to say. It is his birthright that he gets a right to cultivate the land for the tax he pays. The fact that he shall not cultivate such and such land for such and such purposes, in his enjoyment, is to deny the right of citizenship directly and indirectly. So I submit that it invades the right of the citizen of the State to a very great extent. This Bill if I may be permitted to say is intended to protect the special interest of a particular class of people in the State. Here in Travancore persons who follow agricultural pursuits as a result of their labour are not getting any remuneration worth the name excepting the planters. Some years back a few Europeans came to Travancore and began this planting

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business. They set an example and we are thankful to them for having demonstrated to us the usefulness and the profitable nature of rubber cultivation in the State. As years went on, some of our people also took advantage of that sort of avocation. Now they also have begun to be benefited as a result of this rubber planting. Due to various reasons, not only in the Indian market, but in the world market so to say for causes such as political, economic, social, agricultural, etc; that are beyond the control of individuals or particular nations the price of rubber also went down so much so that the rubber planters also found it very hard to continue their cultivation.

PRESIDENT: I did not quite catch what the honourable member was aiming at. Now I take it that he is moving his amendment. I do not call it an amendment that the Bill be dropped. Under what provision of the Standing Orders does the honourable member move that ?

MR. S. J. NAIR (*Nedumangad*): I am opposing the motion that is brought forward by the Law Member.

PRESIDENT: Under what provision of the Standing Orders does the honourable member move his amendment that the Bill be dropped? The honourable member must remember that after the presentation of the final report of the Select Committee on a Bill, the member in charge of the Bill may move that the Bill as reported by the Committee be taken up for consideration. The procedure is that any member may object to it or move certain amendments to the Bill.

MR. S. J. NAIR (*Nedumangad*): That this Bill may be sent back to the Select Committee is the conclusion I am going to arrive at.

PRESIDENT: But that is not the motion. The honourable member should realise that if that be so he might move a motion that the Bill be recommitted either without limitation or with respect to particular Clauses or amendments, etc., as is provided under the Rules. The motion that the Bill be dropped is not within the scope of the Rules. That being so how does the member justify his motion ?

MR. S. J. NAIR (*Nedumangad*): I submit that in the conclusion that is going to be arrived at I will express in that manner.

PRESIDENT: But the honourable member is speaking on a motion that the Bill be dropped. I am asking how he justifies that particular motion.

MR. S. J. NAIR (*Nedumangad*): No, Sir; I do not justify that.

PRESIDENT: With great reluctance I must ask the honourable member to stop his remarks at this stage and wait for another occasion when he can say what he wants to say on this Bill. The motion now is that the Bill as reported by the Select Committee be taken into consideration.

MR. S. J. NAIR (*Nedumangad*): Sir, I oppose that motion. I submit that this Bill would cause great hardship to the interests of agriculture in the State. For various reasons in recent times considerable difficulty and loss are being caused to cultivation.

PRESIDENT: Again, does the honourable member move that the Bill be recommitted or does he oppose the motion ?

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MR. S. J. NAIR (*Nedumangad*): I move that the Bill be recommitted.

PRESIDENT: Then you may move it as a formal motion.

MR. S. J. NAIR (*Nedumangad*): I oppose the motion of the Law Member and beg to move that the Bill be recommitted.

MR. N E. VARUGHESE (*Tiruvalla I*): I rise to a point of order. We are not supplied with copies of that motion.

PRESIDENT: The honourable member will see that if a member in charge of the Bill makes a motion that it be taken up for consideration any member can move an amendment that the Bill be recommitted according to the Standing Orders. Therefore Mr. S. J. Nair is in order.

MR. S. J. NAIR (*Nedumangad*): This Bill as it is framed denies the right of the citizens of the State to cultivate the lands within their hold and for which they pay land tax as they please. So long as they enjoy a right it shall not be open to deny cultivation by an enactment. It is harmful to the interest of the citizens. Such a denial of the birthright is not at all conducive to the interest of the vast general masses. This would go to a great extent against the free enjoyment of lands. Secondly, in recent times due to fall in prices of agricultural products, rubber plantation alone has become a profitable concern and the people who think of benefiting themselves by this sort of cultivation is sought to be denied by a ruthless legislative enactment as this. Thirdly, so far as the scope for the cultivation of rubber is concerned, the State has abundant resources. In the Indian Empire, only Travancore, Cochin and Malabar have rubber plantations. In the near future there would be a great demand for rubber in India. In Travancore, thanks to the good work that the Government have done by starting a rubber factory, I understand rubber articles are being manufactured in plenty in our factory. There is greater scope for the development of that factory by starting fresh factories in other parts of the State. India is a vast continent and if Travancore produces finished articles on rubber such as, rubber tyres, tubes, sheetings etc., I am sure there would be great demand in the Indian Empire for these articles. Travancore will be in a position to advertise her products and thereby meet Indian demand. When that becomes an accomplished fact there is great scope for rubber and for establishing additional factories in the State.

By starting additional factories in the State a great portion of the rubber that we can produce in Travancore can be consumed. Moreover the Dunlop Company has already started a rubber factory at Calcutta with a capital of 50 crores of rupees. The Dunlop Company is one of the most famous companies in the whole world. They have got plenty of money to be spent for the purpose of working out that factory. Malabar coast being the only rubber producing country in the whole of the Indian Empire and Travancore being the first and foremost country in the matter of rubber production, I am sure there will be a great demand for rubber from the Dunlop Company. So, if we view things from any point of view I am sure that the rubber cultivation alone has got a wider scope so far as the agricultural pursuits in Travancore are concerned. And such being the case the people of Travancore should

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not be denied the right of cultivating rubber. Now I may be asked by the Law Member or by any other gentleman that, since our Government has entered into an agreement in the matter of International Rubber Restriction Scheme whether we are not by honour bound to adhere to this piece of legislation. My submission to that is this. Government has entered into such an agreement behind the back of this Legislature. Whatever might be the conditions under which Government has entered into that agreement, so long as it has entered we are prepared to support Government. Without this piece of legislation that agreement can very well be honoured and accepted. If certain provisions are adopted to the effect that in future those who plant rubber shall not have the right of getting "quota" for the purpose of exporting rubber to foreign countries that agreement could be honoured. As a result of the agreement that we have entered into we are given the right of certain quota for the purpose of exportation. Accepting that agreement, certain other provisions could be made in the Bill by a Select Committee if it is referred to another Select Committee, in such a way as to enable all the agriculturists in the State who are desirous of doing so to cultivate rubber. A condition may be imposed that those who cultivate in future or after such and such a date shall not have the right of demanding and getting "quota." Even without quota we will have a good market for the rubber that we will be producing if we are permitted to cultivate rubber in the State. So in the interest of the agricultural development in the State and to benefit the people I request that the Bill be recommitted to a second Select Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know what is it that the honourble member wants the subsequent Select Committee to do with regard to this Bill? Has he got any further directions?

MR. S. J. NAIR (*Nedumangad*): The Select Committee should amend some of the provisions of this Bill in such a way as to permit the agriculturists in Travancore who are desirous of cultivating rubber not to have the right of claiming "quota" only in respect of future plantations.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Cannot that be done by moving amendments at the second reading of the Bill?

PRESIDENT: I think the honourable member has made it perfectly clear.

The motion is not seconded. So it falls to the ground.

CLAUSE I.

MR. S. J. NAIR (*Nedumangad*): Sir, I move that:—

"*In Clause 1, sub-clause (3), delete the words "and for 'such.....Gazette' that occur after "December 1938.*

By deleting the expression the sub-clause would read like this:—

"It shall come into force on such date as Our Government may appoint in that behalf by Notification in Our Government Gazette, and thereafter, shall remain in force up to the 31st day of December 1938".

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[Mr. S. J. Nair]

The object of my motion is not to give this Bill a permanency but to see that this works only as a temporary measure. It is stated in the statement of objects and reasons that this Bill was brought forward for the first time by the Law Member because the Government has entered into an agreement in the matter of International Rubber Restriction Scheme. That condition can be adhered to even if this motion is accepted. By accepting this motion the right of the people of the State to cultivate rubber in future is not denied. In the interest of the agricultural population of the State, rubber cultivation being the only profitable agricultural pursuit in the State to-day as it was sometime back and as it would be in future, it is essential on the part of the Government to see that the right of cultivation is not restricted. For that reason I move this amendment and appeal to this House to accept it.

MR. K. R. ELENKATH (*Kalkulam I*) : I rise to second the amendment. The object of the scheme is to bring the Rubber Control Bill in conformity with the Rubber Control Act in British India. By adding the Clause as is provided in the Bill "and for such..... Gazette" the Legislature is deprived of the privilege of judging and deciding, after watching the conditions which may obtain hereafter, whether the same law should be continued or revised in the light of the possibilities for the extension of and to the advantage of rubber cultivation in the State. Mr. S. J. Nair referred to the enterprise of the Dunlop Company in North India. When their scheme materialises it is expected to be a very big concern and may consume a very large quantity of the rubber that is produced in this State. The provisions of the legislation which we are now going to make should be enacted only on consideration of the circumstances prevailing at the present time. There can be no doubt that the Rubber Control Bill is essential in so far as Government has already entered into an agreement with the International Rubber Control Committee and in view of the fact that our rubber cultivators have begun to enjoy the benefit of it by getting higher prices for their produce. As it is, the terms of the agreement should continue and it will be open for revision only in 1938. How can we anticipate the condition that may prevail after 1938 ? Why should not the Legislature be taken into confidence by the Government by calling upon it to perform its duty after the period for which the necessity for the present scheme has arisen ? To me it seems that Government should take this Assembly into its confidence for advising it when such a necessity arises or a revision is found necessary.

On that ground I object to the Government taking into its hands powers for continuing the operation of this Regulation for any indefinite period according to its pleasure.

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MR. J. W. TOLSON (*Travancore Planters*): I rise to oppose the amendment of Mr. S. J. Nair. To me it seems that the honourable member Mr. S. J. Nair wants to have his cake and to eat it at the same time. As you are all well aware restriction came into being at the mutual desire of all Rubber Growers in 1934 when the price of rubber had fallen to 2½ d. It is now 8½ d. This Bill is required to implement this agreement and by its introduction the Government are carrying out their promise to the International Rubber Regulation Committee. Owing to trade depression, restriction of output has been agreed to by the producers of tea, tin and copper as well as rubber and these agreements are made for the good of all. I ask this House in considering this Bill not to look to what they can do or get now but in the spirit of appreciation of the benefits accrued and to refuse the amendments and pass the Bill as it stands. I would draw the attention of the House to the present position in India where due to restriction the producers have virtually a tariff protection for their home market. If you do away with Rubber control where does India come in? Her potential basic crop is roughly 15,000 lbs. whereas the Dutch East Indies have produced 255,000 tons; Malay 455,000 tons and Ceylon 85,300 tons.

The position would be that Travancore with 95,000 acres would lose her home markets. The crop obtainable in Travancore is from 350/400 lbs. per acre against 1000/1500 lbs. per acre in Java and Sumatra.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is it a fact that the International Restriction Scheme works in the interest of the whole established growers against small growers?

MR. J. W. TOLSON (*Travancore Planters*): It is for the good of all. It is not against anybody. It is maintained in the interest of all growers of rubber. The question of cost of production would undoubtedly rule her out into a care and maintenance basis. Sir, I appeal to you and to this House to pass this Bill and by so doing show the appreciation of Travancore for the benefit which has accrued to her.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I support the amendment moved by Mr. S. J. Nair. I accept all that has been said by the honourable member for the Planters' constituency, I am of opinion that we must co-operate with the International Rubber Restriction Association. The present amendment does not refer to that. It is only for the deletion of certain words which delegates to the Government the functions of this Legislature. If this is allowed it will be open to the Government to extend the period of this law to any length of time. Sir, not that I mistrust Government—I am sure that the Government will look to the interest of the general public in the matter of the extension of the period. But it will always be better that Government afford a chance of ascertaining the views of the Legislature as well as the general public before granting any such extension,

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[Mr. A. S. Damodaran Asan.]

All the sides of the question could be placed before the Government by this House and it is not very difficult for Government to get the period extended through the Legislature itself. I do not find any reason why this part of the Clause should not be allowed to stand. Sir, I shall draw the attention of the House to one or two of the Clauses to show that if the power to extend the period is given to Government it is bound to work prejudicially to the interests of the planters of the country.

In Clause 4 (2) it is stated: "The total area in Travancore in respect of which permission to plant rubber may be granted shall be such area, being as nearly as may be one quarter of one per cent of the total area in Travancore which was planted with rubber plants on the 1st day of June 1934, as Our Government by Notification in Our Government Gazette, may specify in this behalf." Probably, one quarter of one per cent of the total area was prescribed with the idea that the Bill is to remain in force till the 31st December 1938. If the period is further extended power is not given to Government to change this Clause and to increase the percentage or to alter the date "1st June 1934."

Similarly in Clause 5 (*b*) also we find the following: "No person shall be permitted to replant more than twenty per cent of such area in or before the 31st day of December 1938." There the restriction with regard to planting only extends till 1938. Is the restriction on re-planting not to be continued at least as far as that Clause goes, after that date. I find that these two Clauses support my position. If this Clause is allowed to be passed an explanation will have to be offered by the Government in bringing forward another Bill before 1938 for extending its provisions. So I am of opinion that it will be fair to delete that part of the Clause. I might once more assure the House as well as those who are specially interested in the rubber plantation that all the institutions in the country should co-operate for the promotion of our industries.

I am for co-operation with other institutions for the promotion of our industries.

SADASYA TILAKA T. K. VELU PILLAI (*Trivandrum—Urban*): May I know whether Mr. Asan has looked into the British Indian Act?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In the British Indian Act also we find the same Clause. That is why it occurs here. In the statement of objects and reasons it is stated that the Law Member has adopted the provisions of the British Indian Act. But there, we find so many other provisions with regard to the export of rubber.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Suppose it is found that on the 31st of December 1938, for the purpose of respecting the agreement to which Travancore is a party, further extension of this restriction is necessary and then, is it the member's suggestion that Government will have to bring another Bill and pass that Bill through all these stages?

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MR. K. PADMANABHAN (*Chirayinkil I*) : I raise a point of order. Is it up to this House to take an independent position in regard to the year 1938 in the matter of rubber restrictions.

PRESIDENT : It is not a point of order.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : My submission with regard to this point is this. The International Rubber Restriction Association will take into consideration whether the period has to be extended or not long before the 31st December 1938. There is absolutely no reason why they must wait till the 31st December 1938 for such a step. The Government of India imposed restriction on rubber export and plantation in 1934. We are considering the same thing only now. It has been urged nowhere, either by the Rubber Restriction Scheme or by the Government of India, that this very long delay of more than two years has very much prejudiced their calculations. The Rubber Restriction Scheme is intended to restrict the export of rubber. The restriction in regard to the plantation is only an incidental step taken to assure that increase in plantation will not lead to a further demand for increasing export. We are not concerned with the export of rubber, because the Government of India has passed Regulations and we are bound to follow. We are only concerned with the restrictions of planting and when that question was considered by the Legislative Assembly, it was made clear that the restriction on plantation is made for the further assurance of restricting the export.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : If such a contingency occurred is it the member's opinion that another Bill should be sought?

SADASYA TILAKA T. K. VELU PILLAI (*Trivandrum - Urban*) : I wish to speak a few words. My friend Mr. Asan is apprehensive of the possible course of action taken by the Government. I should also have subscribed that opinion if the Government is to be invested with authority to pass a set of rules on the subject. The rule-making power of Government does not command the appreciation of any Legislature. A few years back Lord Hewart severely criticised that power. In England it has created a good deal of dissatisfaction as it has done in Travancore or in British India.

I oppose Mr. S. J. Nair's amendment for this reason, that fixing a time is only determining a question of fact. There is no question of principle involved in it. The Government is in a better position than the Legislature to find out the conditions of trade and to enter into negotiations with other Government. The presumption is that in a matter like this, where the sole interest of Government is to prevent losses to intending planters and to ensure some kind of relief to those who have committed to it their capital, I think there is nothing wrong in permitting Government to prescribe the date. In every civilized country the attempt seems to be to place some restriction on production and even on distribution. As regards marketing conditions I maintain that unless the State is prepared to put trade under regulation, the people are bound to suffer. A rule of the road "Keep to your left" does not mean that there is any infringement in the rules of locomotion. In the same way, Government realised that it is necessary to tell intenting planters

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[Sadasya Tilaka T. K. Velu Pillai.]

"well, look here, if you begin to plant now it would be detrimental to your interests and to the interests of the State. Do not spend your money. Do not borrow and invest in rubber plantations". I cannot forget that when the depression was acute people who were till then rolling in wealth, those who were at the pinnacle of opulance some time ago, were obliged to borrow money for meeting ordinary demands to pay their fare to keep life going. But after the rubber control I find their faces are a true index to their prosperity. I therefore once more say that if anybody in Travancore or any set of men in Travancore plant rubber as they like, they will lose heavily and the benevolent Government; I use the word in the technical sense of the term is certainly interested in finding the actual conditions. With regard to the time I think the authority to fix it is innocuous, it is wise, and it is absolutely necessary. Therefore, Sir, I oppose the amendment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether it is not worse to allow the amendment of an Act than to allow a rule-making power to Government.

SADASYA TILAKA T. K. VELU PILLAI (*Trivandrum Urlan*); If it is a rule-making power I should have opposed it.

MR. KAYALAM PARAMESVARAN PILLAI (*Addtitional Head Sirkar Vakil*): The reason for promoting this Bill is that Travancore has become a party to what is called the International Rubber Restriction Scheme. British India took part in this and acted also for Travancore. We have agreed to it. Certain legislation has already been enacted in British India in furtherance of the scheme. It is our duty to pass an identical legislation here. This scheme came into operation in June 1934. We are in 1936. Any further delay on our part would be viewed as lack of sincerity. It is therefore that we have to pass a legislation which is identical with that which has been enacted in British India. All the countries that are parties to the scheme have passed laws and it is one of the terms of the common agreement that we should also pass identical legislation.

MR. S. J. NAIR (*Nedumangad*): May I know whether as a result of the agreement the people who have not got the right quota could export rubber from Travancore to British India? The answer will be much useful. The copy of the scheme is with Government. So I put the question.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Sir, under the International Rubber Restriction Agreement Travancore has undertaken certain obligations to limit its export to other countries Travancore has undertaken also to enact legislation for restricting cultivation. Although Travancore began to get the benefit of the scheme from June 1934, it is now more than 2 years after that we are trying to legislate. It is necessary that we pass a legislation which is identical with that passed in British India.

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MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know what prevented Government from expeditiously passing the legislation in 1934 without giving room for suspicion?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We thought that the export quota allotted to Travancore was not adequate and we were attempting to get it revised. We succeeded and then introduced the Bill.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is there any guarantee that the position of our problems with regard to this matter will be the same after Travancore has entered into Federation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is far out of the province of this Bill. I am concerned only with the International Rubber Scheme.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, a word of explanation. Now the Government has taken a certain position with regard to the International Rubber Restriction Scheme. I want the Law Member to give us an assurance, before we are called upon to vote for this provision,, that the position of our problems would be the same in the year 1939. Of course if every thing goes alright Travancore would be a party to the Federation. May I know that the position of Travancore will be the same then, as it is now?

PRESIDENT: Does the honourable member ask the question assuming the possible contingency of Travancore in the All India Federation? The honourable member may elucidate his statement.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): It is not an assumption, Sir. We know the present position of Travancore. I want to know whether there will be any change in it when she becomes the partner of the All-India Federation?

PRESIDENT: The member will please make it clear what apprehension he is entertaining so that an answer might be given him.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I want to know whether the attitude of the Travancore Government in regard to International Rubber Restriction Scheme will change after Travancore becomes a partner of the All-India Federation.

PRESIDENT: Before the honourable member asks for the information, he should elucidate what alteration in the position can possibly ensue as a result of Travancore joining the Federation. Unless he makes that clear, how could he expect an answer for this question? The honourable member will please elucidate his point, if he wants an answer.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): It is seen from the Statement of Objects and Reasons of this Bill that the idea is that Travancore should fall in a line with British India in enacting a measure like this. Clause 1 of this Bill says that this measure will operate only till the 1st of January 1939. What are we going to do from that date? Of course, there is provision enabling the Government to extend the period of operation of this measure.

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PRESIDENT: Is it the member's apprehension that Travancore will give up her right of legislation to the Federation?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): My apprehension is that the position of Travancore will change when she joins the Federation.

PRESIDENT: Is it the idea that Travancore will extinguish herself in the matter of legislation?

Law Member.....

SADASYA TILAKA T. K. VELU PILLAI (*Trivandrum-Urban*): I rise to a point of order.

PRESIDENT: Law Member.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Travancore will always honour her obligations, whether she joins the Federation or not. That is the answer that I have to give to Mr. Pacode Narayana Pillai.

I was saying, Sir, that Travancore became a party to the International Rubber Restriction Scheme; she has therefore to keep up her obligations. One of the obligations is to limit the export of rubber; another is to limit the cultivation of rubber. There was also the obligation that Travancore should enact a legislation on lines identical with the legislation elsewhere. Mr. Asan was perfectly right when he said that in this matter whe have practically adopted the British Indian Enactment. Clause 1 (3), of the British Indian Enactment says —

> "1 (3). It shall come into force on such date as the Governor-General in Council may, from time to time, by notification in the Gazette of India, appoint."

The scheme as at present will be in operation only till the end of 1938. It is however expected that it may be extended for further periods. If so the law must continue and Government must be given the power to extend the period of this law.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is the Law Member sure that the present agreement will not be revised in any manner?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We cannot say. If it is revised, surely, Government will come to this House for revised legislation.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether, if the conditions of the agreement are changed, there will be any necessity for the Government to come to this House again, in the light of the provisions of this Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There may be.

MR. K. R. ELENKATH (*Kalkulam I*): Is it obligatory on the part of the Government to come to this House for any legislation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the identical conditions continue, there will be no necessity for the Government to come to this House for fresh legislation, since the Government are given the power to extend the period of the present law.

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RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I want to speak a few words in this connection. (*Louder please*). The International Rubber Restriction Scheme was brought into force because it was found that the production of rubber far exceeded the demand. There was a time when there was a boom in rubber and a large area was then brought under rubber cultivation in Travancore as well as in in other countries. Thus the output of rubber went on increasing in excess of the demand. No doubt there was a slight and gradual increase in demand also but the increase in production was so rapid and large that it far exceeded even the increased demand. Naturally, the price of rubber which was Re. 1 and more per pound went down to about two annas or so. The cultivators found it absolutely useless to produce any rubber because the actua lcost of production was itself two annas or more. It was under such circumstances that the International Rubber Restriction Scheme was brought into force with the object of restricting production as well as export. It is not the intention of the International Rubber Restriction Scheme to keep the restriction for ever. Under the present arrangement it will operate till the end of 1938; if necessary the period may by extended for another five years or more. The time will come when the supply will become equal to the demand and the price which now rules will be stabilised. The object of the restriction is to stabilise the price at a reasonable level so that the cultivator may have a decent margin of profit. Rubber now sells at about 7 annas a pound. I think that if it sells at anything between 7 and 8 annas per pound, the cultivator will be able to make a decent profit. It is to keep the price at this level that the cultivation and the export of rubber are sought to be restricted. If before the price is stabilised the restriction is removed and people are allowed to clutivate rubber as they like, as my friend Mr. S. J. Nair wants, the production of rubber will increase and world stocks will accumulate, and naturally, as soon as the restriction is removed, the price will fall and there will again be a slump. Therefore, until a stable equilibrium is established, the restriction may have to be continued. That is why provision is made in the Bill empowering the Government to extend the operation of this measure even after the 31st December 1938. But it will be done only if the International Rubber Restriction Committee extends the period of restriction. If they do it, naturally, Travancore will have to follow suit. If stable equilibrium is reached early, there will be no necessity to extend the period of restriction at all.

MR. S. J. NAIR (*Nedumangad*): Is the member aware that outsiders now come here and purchase rubber not covered by the quota system, take it away to British India and make use of it?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, they do.

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MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): I oppose the amendment.

(At this stage the President left the Hall and the Deputy President took the Chair.)

It is conceded by the mover as well as by the seconder of the amendment that at least till the end of 1938 this measure should be in force. No objection has been raised with regard to that. Objection has been taken to giving the Government the power to extend the period of operation of this measure still further. The only question is whether Government could be given that power or whether they should be compelled to come before this House again in case the period of operation of this measure has to be extended.

Now, Sir, what is the factor that should determine whether the period of the operation of this Bill is to be extended or not? Certainly, it is the decision of the International Rubber Restriction Committee. If they decide to extend the period, we have also got to do it. Therefore, I do not see any reason at all why the Government should be forced to come to us again for the purpose of extending the period of operation of the same measure.

MR. P. C. KURIYAN (*Kottayam I*): Is it the member's position that we have no right to take an independent stand?

DEPUTY PRESIDENT: I did not hear you, Mr. Kuriyan.

MR. P. C. KURIYAN (*Kottayam I*): Is it the member's view that Travancore cannot take an independent attitude in this matter?

DEPUTY PRESIDENT: That is a matter of opinion anyhow. If the member is inclined, he may answer.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): The question will be whether there is necessity for extending the restriction. This will be decided by the restriction committee and not by us. We have only to fall into line with the International Committee's decision. Mr. S. J. Nair said that every land owner should have the right to cultivate his land with rubber when the price of rubber is high. Mr. S. J. Nair forgets that the price has increased on account of restriction and if we do anything which will in any way impair the scheme of restriction the prices will again fall and there will then be no use of extending our plantations. All that we should do is to support the scheme as much as possible. Otherwise we shall be losers.

In regard to the delay in passing this measure I must say that a deputation of rubber planters waited on the Dewan and prayed that no action be taken under the scheme until the quota for Travancore is revised. The quota has now been revised. At one time it stood at eight thousand tons. Now it has been raised to twelve thousand tons. So the rubber planters have been benefited. For these reasons I think the amendment should be rejected.

MR. S. J. NAIR (*Nedumangad*): Sir, I may be allowed to explain certain matters.

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DEPUTY PRESIDENT : If you think that an explanation is absolutely necessary I will allow you to speak once again.

MR. S. J. NAIR (*Nedumangad*) : I do not think that the agreement that the Government of Travancore have entered into with British India for the restriction of export of rubber should be denied. We solemnly affirm it. But all that we say is that the restriction must be for the production and export of rubber. The agreement is not a permanent agreement. It will have force only till 1938. So if my amendment is accepted it will not in any way affect the agreement. On the other hand it will benefit the interests of thousands of cultivators in this State. So I appeal to this House to accept my amendment.

The amendment was put to vote and lost.

The question that Clause I do stand part of the Bill was then put to vote and carried.

The Clause was added to the Bill.

Clause 2.

MR. S. J. NAIR (*Nedumangad*) : Sir, I move the following amendment.

In Clause 2, sub-clause (c), add the words 'owner or' between the words 'any' and 'agent'."

If the amendment is incorporated in the sub-clause it will read as follows :

"Owner includes owner or any agent of an owner."

It is not very clear whether the sub-clause as it stands now will include the owner himself. The definition is very vague. The definition should be definite.

DEPUTY PRESIDENT : Unless the member can show the difference in sense between the clause as it stands and as he seeks to amend, I shall have to rule out the amendment.

MR. S. J. NAIR (*Nedumangad*) : Sir, the definition 'owner' as it stands in the Bill may not include owner at all. It may exclude the owner. In order to make it definite such an amendment is necessary. It is found in other legislations also.

DEPUTY PRESIDENT : The honourable member will realise that it will be an unnecessary duplication of words.

MR. S. J. NAIR (*Nedumangad*) : Sir, a definition of an expression must be very clear, logical and definite. In order to do so, I move this amendment.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know what the member means by owner including owner ?

MR. S. J. NAIR (*Nedumangad*) : I never said like that.

DEPUTY PRESIDENT : To my mind there is no meaning in saying owner including owner. I call upon the Law Member to explain the position.

MR. KAYALAM PARAMESVARAN PILLAY (*Additional Head Sirkar Vakil*) : Sir, the Clause as it stands is alright and no change is needed.

The amendment was with the leave of the House withdrawan.

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MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Sir, I move the following amendment:

"*In Clause 2, sub-clause (e), delete the words 'to plant' means to propagate a rubber plant from seed or any living portion of the rubber plant that may be used to propagate it and" in lines 1 and 2.*

My object in moving this amendment is to say that it is unnecessary to have any definition of the words 'to plant' in view of my amendment Nos. 12 and 19 to Clauses 3 and 6 respectively of the Bill. The amendment Nos. 12 and 19 are to the effect that the planting of rubber should be excluded from the operation of the provisions of this Bill. I submit that there should not be any provision in the Bill penalising the future or the past cultivation of rubber in Travancore. It is the legal right of an owner of land to raise any kind of cultivation he likes and also to exercise the rights of ownership in any way he likes without detriment to the enjoyment of the adjacent owner. Sir, in a land like Travancore where agriculture is the main occupation of the people I submit that there should not be any legislation to restrict the cultivation of rubber. Even if the Government wish to make any restriction they may do so in respect of the exportation of rubber from Travancore.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to a point of order. I request a ruling on the question whether we are to decide this issue on this motion or whether we should take it up when we come to the Clauses relating to the planting of rubber. The present Clause relates only to the definition of the expression 'to plant'.

DEPUTY PRESIDENT: The definition of the words 'to plant' is in any view of the case necessary. But I consider that the appropriate place for discussing the matter of restriction of cultivation will be when the House takes up the Clause that deals with planting and the restriction to planting.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Sir, I may be allowed to explain my position. If my amendment Nos. 12 and 19 are accepted there will be absolutely no necessity for having this definition.

DEPUTY PRESIDENT: That would be a case of putting the cart before the horse. We do not know whether the House will accept the other amendments or not. In any view of the case there is no harm in defining the word "to plant". If planting s to be restricted a definition is necessary and I hold that this is not the proper place for Mr. T. P. Velayudhan Pillai's amendment.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I move the following amendment.

"*In Clause 2, sub-clause (e), omit the words "carrying rubber plants on the 1st day of June 1934, more than thirty rubber plants in any one acre" and substitute the words "that was planted with rubber before the 1st day of June 1934 as proved by convincing evidence."*

From the speeches of the Chief Secretary to Government and the Law Member the position has been made clear that already there is more rubber than what is necessary to meet the demand and hence the necessity for the restriction. Therefore there is no need to the

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provision for replanting unless it is to safeguard the interests of those who had invested money in rubber plantations but was unfortunate to lose them either by neglect or wilful destruction.

DEPUTY PRESIDENT: My ruling to Mr. T. P. Velayudhan Pillai's amendment applies to this amendment also. There is a Clause dealing with replanting and that would be the proper place for discussing this.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): I beg to correct, Sir. There the terms of replanting are dealt with, while I want to change the definition of the word '*replanting*' itself, which is defined as "to plant in any area carrying more than 30 rubber plants in any one acre." I want a change in the defininition itself.

DEPUTY PRESIDENT: In view of what fact?

MR. K. M. KURIAKOSE (*Muvattupuzha II*): In view of the principle involved namely to give some help to the planter who had invested money on rubber planting but had unfortunately lost the same.

DEPUTY PRESIDENT: That is to say, irrespective of the other Clauses you want this change.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Yes, Sir.

The very fact that replanting is allowed is evidence to show that some help should be rendered to the man who had invested some money in this concern. My point is why should there be a restriction to replanting rubber only in an area of 30 rubber trees per acre. Generally in an area of one acre 100 to 250 trees could be planted. Why should a minimum of 30 be fixed? Under what principle has that been done? To me it appears, Sir, that it has been fixed arbitrarily. Once it is conceded that some help should be given to the rubber planter who had invested money and lost it, this restriction is not necessary. The rubber concern was a losing concern for a long time and as such the planter should not be put to further loss by restricting his cultivation as far as possible. If in a rubber plantation an area has been completely destroyed by wild fire or neglect of the area and if this restriction is applied, then that planter is hard hit. According to this provision the man who lost everything does not get the benefit of the law but the man who has saved 30 trees per acre gets the benefit of the law. Suppose a man had 50 acres of rubber plantation of which 25 acres have been destroyed and the rest 25 acres alone are in safe condition. According to this law he cannot replant the portion destroyed because there was wholesale destruction while the law would have allowed him to replant if he could save 30 trees per acre. The man who has incurred heavy loss by wild fire or neglect of trees, as the case may be, must have convincing records to show to prove his case that there was a plantation in existence. From my own experience I can say that several estates have been destroyed by neglect or wild fire through the carelessness of the neighbours. There have been criminal suits and suits for compensation from the opposite party in such cases. Besides there are government records collected by the revenue officers to prove the existence of neglected areas and destroyed areas. Now all these are evidences enough to convince anybody of the facts of the case.

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[Mr. K. M. Kuriakose.]

Again Sir, there is another side of the question. The law does not want fresh plantations except for experimental purposes. Now if a man had planted 30 trees only in any corner of his compound, then according to this provision he is free to plant one full acre including the existing plants inspite of the fact that he had not planted that one acre previously and lost nothing. Now is that the intention of the law? The law wants only to help those who had suffered loss, while the provision as it is does not help them but at the same time helps those who do not deserve help. To me it appears to be a very incongruous situation. I therefore appeal to this House to consider this question very seriously and commend my amendment for acceptance.

MR. K. MADHAVAN (*Nominated*) I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. "Replanting" implies that the area concerned must have already a sufficient number of trees. If in an area of 1,000 acres there is only one plant left after the destruction of the planting of the area, such an area cannot be "replanted".

MR. K. M. KURIAKOSE (*Muvattupuzha II*): What is the intention of the Regulation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): "Replant" means, plant in an area containing more than 30 rubber plants in one acre.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): What is the significance of the number 30?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): "To replant" means to plant in any area carrying rubber plants on the 1st day of June 1934....." If Mr. Kuriakose's amendment meant "that was planted with rubber before the 1st day of June 1934" I could have understood his position.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Could not the records of the planter show the area planted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

But Mr. Kuriakose doet not suggest that the area concerned is fully planted with rubber. Is it the member's point that in the area of, say 1,000 trees, if all the trees had been destroyed excepting one, such area would be open to "replanting"? That will mean that even after the Regulation is passed everybody must be given the right to plant. If all the trees have been destroyed, how can that area be treated as a rubber estate?

MR. K. M. KURIAKOSE (*Muvattupuzha II*): For that matter how can an area containing 30 trees be considered an estate?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. That minimum has been fixed by the International Rubber Restriction Committee. It is a Committee composed of experts. So we have adopted that formula.

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MR. K. M. KURIAKOSE (*Muvattupuzha II*): Am I to take it then that we are not empowered to move any amendment because experts have come to an agreement ?

DEPUTY PRESIDENT: The Law Member's opinion on that point will not be of any advantage to you. That is a point for the Chair to rule.

The amendment was then put to vote and lost.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I beg to move the following amendment:—

"Substitute "31st day of December 1936" for the words "1st day of June 1934" in line" 3.

The Law Member has been emphasising hat we are bound to accept word by word the British Indian Act and he has very much discouraged me by that statement. At the same time I am very anxious that when some conduct on the part of the Government has already generated suspicion in some quarters.....

DEPUTY PRESIDENT: How is the suspicion of people relevant to the discussion on the present point ?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I am saying that unless my amendment is accepted there is legitimate room to feel that we have enacted a law which cannot be effectively carried out. It is stated here that replanting means "to plant in any area of one acre where there were more than 30 plants on the first day of June 1934." So to regulate replanting there must be definite and reliable data with regard to the area carrying rubber plants on the first day of June 1934. In the absence of any such data on that question it is impossible to effectively carry out the provisions contained in Sections 4 and 5 of the Bill. With regard to our statistics of the cultivation of rubber we find that it is thoroughly unreliable. It is not proper to pass any legislation which would materially affect the parties on the basis of such statistics. I am just referring to the statistics of the Travancore Government for the years 1108 and 1109. In 1108 the area under rubber cultivation was 59,862 acres while in 1109 it was 95,832 acres and so there is a disparity of more than 36,000 acres, an error going up to about 60 or 70 per cent. This is not a matter which is strictly confidential. Even when the Rubber Control Bill was under discussion in the Legislative Assembly this incorrectness of the Travancore figures has been pointed out and that was advanced as a ground for revising the quota for South India. When that is the kind of accounts on which we have to proceed it is not proper that we must allow the first day of June 1934 to stand in the statute book. Much was heard with regard to giving retrospective operation in legislation. But here what we are asked to do is to forget for a moment or to forget for ever that after first day of June 1934 a much larger area was brought under cultivation. That, I submit, will tell upon the good faith of the Travancore Government.

DEPUTY PRESIDENT: You may be justified in questioning the correctness of the figures but not the good faith of the Government.

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MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Not that I am questioning. Somebody else is likely to question. That is what I am submitting. There is every reason to suspect that. When there were persons to suspect the good faith of the Government even for the delay in briging forward this Bill, is it not possible that there would be so many other persons who entertain reasonable suspicions on the basis of the publications of the Travancore Government itself. Let us proceed upon facts and figures. So, my submission is that it is better to substitute 31st day of December 1936 instead of first day of June 1934.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose this amendment. The effect of this amendment will be that plantations made after 1st June 1934 and before 1936 must be treated as legitimate plantations and it is also suggested that there are such plantations. That is a position which the Government cannot accept for a moment. The International Restriction Scheme was agreed to in May 1934 and came into operation on 1st June 1934. Therefore all the restrictions of production are sought to be related to that date. The restriction with regard to the cultivation of rubber is also sought to be related to the 1st of June 1934. If we have to conform to the agreement that Travancore Government has entered into we must legislate to the effect that replanting must be defined as relating to an area carrying 30 plants on the first of June 1934. That is the day that has been adopted in the Indian Act too even though the Indian Act was passed subsequent to that date. The Indian Act was passed on the 31st of August 1934. Even that Act has adopted 1st June 1934. The reason for that is obvious, because all the parties agreed that the scheme should come into operation on the first of June 1934 and that restriction with regard to cultivation also should come into operation on that date. That is the reason why we also adopt that date. The question of statistics has nothing to do with it. The Committee will enquire into each individual case; and see whether there were 30 plants or not in June 1934. On this point the statistics will not be of any use. When an application is made by an individual estate owner, an enquiry will be made with regard to that estate and if it is found that there were 30 trees on the specific date the application be allowed. As for the practical difficulty in ascertaining the number of trees on a previous date, that cannot be helped. But the members of the Committee are experts and they will ascertain it from the age of the trees perhaps. The important point to be borne in mind is that the scheme should come into operation with effect from the first day of June 1934 if we are to conform to the International Agreement.

MR. J. W. TOLSON (*Travancore Planters*) : The Rubber Restriction Scheme came into operation from the 1st day of June 1934. The Rubber Licensing Committee enquired into the acreage of rubber cultivation and on the figures supplied them quotas are assigned. Therefore although the Committee may be enquiring in 1936 they know exactly what area was planted in 1934.

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The question of costs of production would undoubtedly rule her out into acre and maintenance basis.

Sir, I appeal to you and to this House to pass this Bill and by so doing show the appreciation of Travancore for the benefits which have accrued to her.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I wish to withdraw the amendment.

The amendment by leave was withdrawn.

The question that Clause 2 do form part to the Bill was then put and carried.

The Clause was added to the Bill.

PART II.

MR. S. J. NAIR (*Nedumangad*) : Sir, I move that – "in the heading under Part II, delete the word that exists between "Control" and "Extension" and add the word "over".

The word that we find in the Bill is neither English, Latin nor Malayalam. The word as it stands is "cver".

DEPUTY PRESIDENT : I think it is a clear matter.

MR. S. J. NAIR (*Nedumangad*) : I want to make it clear.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is a clerical mistake and I accept the amendment with thanks.

Clause 3.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : Sir, I move that:—

In clause 3 delete the words "shall plant rubber plants in any land or" in lines 1 and 2.

My object in moving this amendment is that it is unnecessary to have any legislation restricting the cultivation of rubber plant. Amendment No. 19 is also to have the same effect.

DEPUTY PRESIDENT : That is Clause 6. We are not concerned with that. Now proceed to Clause 3.

MR. T. P. VELAYUDAN PILLAI (*Tiruvalla III*) : Sir, my attempt is to exclude the cultivation of rubber from the operation of this Regulation. It is the legal right of the owner of every land to raise cultivation in his land in any way he likes. It is the legal right of the owner of every land to exercise the right of ownership as he likes. So there should not be any provision in the statute book restricting his right.

MR. P. C. KURIYAN (*Kottayam I*) : Sir, I rise to a point of order. Having agreed to the principle of the Bill can the House go back upon that?

DEPUTY PRESIDENT : I don't think there is any point of order in that. Mr. Velayudhan Pillai was advancing only a particular argument. He does not say that the House has no jurisdiction to take up this measure for discussion. And I rule that the amendment is in order.

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MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): In a country like Travancore where agriculture is the maim occupation of the people I believe that it is inequitable and unjust to legislate any provision restricting cultivation. That is my submission, Sir. If Government wish to make any restriction with regard to rubber cultivation they may do so by restricting the exportation of rubber from the newly planted area Sir, so far as I am aware the Rubber Restriction Scheme relates only to the exportation of rubber to foreign places from British India. So, I say there is no harm in allowing the land owner in Travancore to cultivate rubber in his land. If it is restricted much harm may be caused to many, because I know as a matter of fact that several people in Travancore have registered lands in their names and have also purchased land from others for the purpose of cultivation.

MR. N. E. VARUGHESE (*Tiruvalla I*): Is there any other purpose served by rubber trees?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Rubber trees are made useful for growing pepper. Even for tapping the land owner may be allowed to grow rubber plants. He need not be given the quota certificate. He may get the benefit by selling the rubber in Travancore itself or in British India.

DEPUTY PRESIDENT: May I know whether it will not affect the price?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): No, Sir. It will not affect the price. Restriction applies only to exportation from British India to foreign places. Those who have registered lands in their name could not cultivate rubber in those lands on account of the prevailing economic depression. Now, days are better and they have got an idea to begin cultivation as originally desired.

MR. P. C. KURIYAN (*Kottayam I*): Sir, the Restriction Scheme restricts only the export?

DEPUTY PRESIDENT: It is not a matter of opinion. It is a matter of fact. Mr. Kuriyan will modify his question.

MR P. C. KURIYAN (*Kottayam I*): Sir, I want to know whether the Restriction Scheme restricts export or production?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): If the scheme restricts production it is illegal. Sir, to continue what I was saying, Government are realising every year the tax on the lands registered or purchased for rubber plantation from the land owners. Now these lands are lying waste. People have of late found out that rubber cultivation is a profitable occupation. At such a juncture Government are going to enact a law restricting the citizens of the State from cultivating rubber in their own lands; it is highly unjust. I appeal to the members of this House to accept my amendment.

DEPUTY PRESIDENT: Is there any honourable member to second it?

MR. S. J. NAIR (*Nedumangad*): I second it. In doing so, I submit for the information of this House that there are various instances where in certain compounds where there are no trees rubber plants are being planted and people grow pepper on those trees. So rubber plants are

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very useful in cultivating pepper vines. Sir, the Rubber Restriction applies only to the export of rubber and not production. Suppose a great European war breaks out to-morrow and we get a big demand then for our rubber and rubber articles. But if this Bill is passed into law we become unable to cope with that demand. Moreover there are Rubber Factories in British India besides one that we have got here. There is a Dunlop Factory in Calcutta ; and in Mysore also there is a factory. We can supply the raw materials to these factories. And in India, only in the Malabar coast rubber is grown. We have to supply rubber for the whole of the Indian Empire. So my submission is that the cultivation of rubber should be respected and not restricted. Restriction should apply in regard only to the quota system. With these words I support the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose this motion. At the outset I may say that restriction of planting is an integral part of the Agreement. The Rubber Restriction Scheme was brought into existence with the agreement of all the participating countries. The scheme is not merely to restrict exportation of rubber but also to restrict production of rubber. Unless that is also retained, the scheme will become fruitless. One object of the scheme is to bring down the stocks of rubber, so that prices may be remunerative. For that purpose too production must be restricted. And it is an essential part of the scheme that each country should export only a limited quantity and should not make any further fresh planting. To bring the scheme to a success Travancore also must respect it and pass suitable legislation.

MR. J. W. TOLSON (*Travancore Planters*): Sir, I think it is very unjust to keep away from the scheme of restriction of rubber by deleting this particular provision from the Bill. Travancore is a country which has benefited by restriction. It cannot stand aloof when the outside nations are combining for the common economic welfare of all. For the rubber industry prosperous days are ahead owing to the operation of the Rubber Restriction Scheme. We must be thankful to the Restriction Committee and agree to help and carry out the scheme which is for the good of all.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I know from the member whether the general public are interested by the raising of the price of rubber ?

MR. J. W. TOLSON (*Travancore Planters*): Certainly they will be benefited in an indirect way.

The amendment was put to the vote of the House and lost.

Clause 3 was then put to vote and passed and was added to the Bill.

Clause 4.

MR. S. J. NAIR (*Nedumangad*): Sir, I move that :—

In clause 4, sub clause (1), delete the words "intended for the cultivation of rubber plants for exclusively experimental purposes and such area shall in every case be limited to the area necesssary for such purposes", and add "under ten acres." If my amendment is accepted Clause 4 (1) would read like this :— "Permission under Section 3 to plant

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[Mr. S. J. Nair]

rubber plants shall be granted only in respect of an area under ten acres." As the Clause now stands only the existing rubber planters are permitted to continue rubber planting hereafter. In other words, all those people, who are not rubber planters at present are permanently excluded from cultivating rubber in future.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I raise a point of order. This is going against the substantial decision that the House has arrived at already.

MR. S. J. NAIR (*Nedumangad*): The House has not decided the point.

DEPUTY PRESIDENT: Yes, it has been substantially decided.

MR. S. J. NAIR (*Nedumangad*): In which amendment, Sir?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In Clause 2.

DEPUTY PRESIDENT: The amendment may be new. But what is inside the amendment? It is not to restrict the production of rubber.

The member may have the opportunity to extend the scope of his opposition but it is now 5 O' clock. The House will now adjourn and meet again at 11 A. M. to-morrow as usual.

The House adjourned at 5·2 P. M.

P. PARAMESVARAN PILLAI,
Secretary to the Sri Mulam Assembly.

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